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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/415,052	10/08/1999	RANJIT N. NOTANI	020431.0560	4247

7590 02/20/2002

BAKER & BOTTS LLP  
2001 ROSS AVENUE  
DALLAS, TX 752012980

EXAMINER

ELISCA, PIERRE E

ART UNIT PAPER NUMBER

2161

DATE MAILED: 02/20/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

3

# Office Action Summary

Application No.  
09/415,052

Applicant(s)  
Ranjit N. Notani

Examiner  
Pierre E. Elisca

Art Unit  
2161



- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE THREE MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Oct 8, 1999
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 9-11, And 19-21 is/are rejected.
- 7) ☒ Claim(s) 2-8, 12-18, And 23-28 is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some\* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 20) ☐ Other: \_\_\_\_\_

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**Examiner Pierre Eddy Elisca**  
**United States Department of Commerce**  
**Patent and Trademark Office**  
**Washington, D.C. 20231**

**DETAILED ACTION**

1. This Office action is in response to application No. 09/415,052 filed on 10/08/1999.
2. Claims 1-28 are presented for examination.

*Claim Objections*

3. Claims 2-8, 12-18, and 22-28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

*Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

**5. Claims 1, 9-11, 19-21 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Noguchi et al (U.S. Pat. No. 5,812,981) in view of Xu et al (U.S. Pat. No. 6,324,581).**

**As per claims 1, 19, 20, 21, Noguchi** substantially discloses an object oriented part that composed of a data section and a procedure section for defining specification information about I/O and procedure information indicating the processed content at each data item of a business processing program for performing a process about a data item see., abstract (which is seen to read as Applicant claimed invention wherein it is stated that a system for performing a business process ).

**It is note that Noguchi** fails to explicitly disclose a first version of a business application that is identified using a first version identifier and executed by a first client to perform business process, and a second version of the business application that is identified using a second version identifier and executed by a second client to perform the business process, wherein the second client is coupled to the first client using a communication link and the second version of the business application is operable to determine a selected one of the first version of the business application. **However, Xu** discloses a plurality of data mover computers that control access to respective file systems in data storage. A network client serviced by any of the data movers can access each of the file systems. If a data mover receives a client request for access to a file in a file system to which access is controlled by another data mover, then the data mover that received the client request sends a metadata request

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to the data mover that controls access to the file system.... see, abstract which is seen to read as applicant's claimed invention detailed above, please note that the data movers of Xu, figs 1-4 also include in the metadata request to the second data mover computer a version identifier identifying the version of the metadata of the second file contained in the first metadata cache memory see., abstract, col 1, lines 65-67, col 2, lines 1-67, col 4, lines 16-67, col 7, lines 52-67, col 8, lines 1-64, col 40, lines 5-20, lines 36-50, the data movers are readable as first version identifier and second version identifier). Xu also discloses that the data movers receive data access commands from clients in the data network using NFS protocol, TCP/IP protocol, and CIFS protocol (see., col 1, lines 22-34, col 3, lines 7-59).

Accordingly, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the business processing program of **Noguchi** by including the limitations detailed above as taught Xu because such modification would provide the business processing program of **Noguchi** with the enhanced necessary to have a system that can control access to the business application and to obtain data from the data movers or version identifier that control access to the business process.

**As per claims 9, 10, 11, Noguchi** substantially discloses an object oriented part that composed of a data section and a procedure section for defining specification information about I/O and procedure information indicating the processed content at each data item of a business processing

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program for performing a process about a data item see., abstract (which is seen to read as Applicant claimed invention wherein it is stated that a method for performing a business process ).

**It is note that Noguchi** fails to explicitly disclose a first version of a business application that is identified using a first version identifier and executed by a first client to perform business process, and a second version of the business application that is identified using a second version identifier and executed by a second client to perform the business process, wherein the second client is coupled to the first client using a communication link and the second version of the business application is operable to determine a selected one of the first version of the business application. **However, Xu** discloses a plurality of data mover computers that control access to respective file systems in data storage. A network client serviced by any of the data movers can access each of the file systems. If a data mover receives a client request for access to a file in a file system to which access is controlled by another data mover, then the data mover that received the client request sends a metadata request to the data mover that controls access to the file system.... see, abstract which is seen to read as applicant's claimed invention detailed above, please note that the data movers of Xu, figs 1-4 also include in the metadata request to the second data mover computer a version identifier identifying the version of the metadata of the second file contained in the first metadata cache memory see., abstract, col 1, lines 65-67, col 2, lines 1-67, col 4, lines 16-67, col 7, lines 52-67, col 8, lines 1-64, col 40, lines 5-20, lines 36-50, the data movers are readable as first version identifier and second version identifier). Xu also discloses that the data movers receive data access commands from clients in the

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**CONCLUSION**

6. The prior art made of record and relied upon is considered to applicant's disclosure.
7. Any inquiry concerning this communication from the examiner should be directed to Pierre Eddy Elisca at (703) 305-3987. The examiner can normally be reached on Tuesday to Friday from 6:30AM to 5:00PM.

If any attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, James Trammell can be reached on (703) 305-9769.

**Any response to this action should be mailed to:**

Commissioner of Patents of Trademarks

Washington, D.C. 20231

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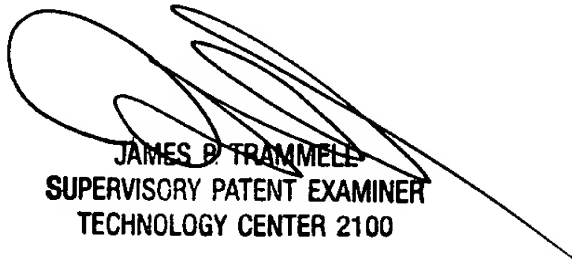
**or faxed to:**

(703) 308-9051, (for formal communications intended for entry)

**OR**

(703) 305-9724, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth floor (receptionist).

  
JAMES P. TRAMMELLE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

  
Pierre Eddy Elisca

Patent Examiner

January 29, 2002